



AGENDA
January 11, 2022
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

Green Team-Community Solar

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw a warrant to Treasurer, State of New Jersey, for Marriage/Civil Union License Fees
2. Resolution authorizing the Chief Financial Officer to refund dumpster security payment
3. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes due to Veteran and Senior Citizen deductions for 2021
4. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes for 2021
5. Resolution authorizing the Town Attorney and Tax Assessor to file counterclaims, appeals and cross appeals in statutory tax appeals
6. Resolution authorizing the Town of Westfield's participation in and funding for FY 2023 Municipal Alliance Program

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution authorizing participation in nationwide settlements in connection with the ongoing opioid crisis
2. Resolution referring report and recommendation to the Planning Board for historic designation of the coffee kiosk at the South Avenue Train Station
3. Resolution referring report and recommendation to the Planning Board for historic designation of 23 Stoneleigh Park
4. Resolution referring report and recommendation to the Planning Board for historic designation of 112 Ferris Place

Public Works Committee

1. Resolution supporting community solar projects
2. Resolution awarding contract for grinding of brush material

ORDINANCES

GENERAL BUSINESS

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, January 11, 2022
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
6. Advertised Hearings
7. Approval of Minutes from Town Council Conference Session held December 7, 2021
Approval of Minutes from Town Council Regular Meeting held December 7, 2021
Approval of Minutes from Town Council Organizational Meeting held January 3, 2022
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$506,269.03
11. Reports of Standing Committees

Finance Policy Committee

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Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

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Public Works Committee

1. Resolution supporting community solar projects
2. Resolution awarding contract for grinding of brush material

12. Reports of Department Heads

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$500.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of October - December 2021.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval for return of deposit:

Susan Carr
253 S. Scotch Plains Avenue
Westfield, NJ 07090

Amount of refund: \$975.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020-2021:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
201/32 KNAPP, Amanda	112 Brightwood Avenue	2 nd /2020 \$6,429.04
906/35 MENDOZA, Zuzel	864 North Avenue West	1 st /2020 \$2,323.08
1302/23 4 th /2020 MORIN, Jeffrey	711 Crescent Parkway	\$3,975.12
2806/11 MCENERNEY, John & Mary	635 Norman Place	4 th /2021 \$5,079.13
2818/13 PATEL, Rahul \$1,799.97	707 West Broad Street	1 st /2021
934 Lowden Avenue Union, NJ 07083		3 rd /2021 <u>\$1,790.63</u> \$3,590.60
3101/8 FNA DZ, LLC FBO WSFS	200 South Avenue West	Subs/2021 \$11,875.11
4104/1 TANG, Rufeng	209 Midwood Place	4 th /2021 \$858.17
4106/20 MCDEVITT, Barbara	757 Summit Avenue	3 rd /2021 \$3,777.20 4 th /2021 <u>\$3,371.06</u> \$7,148.26

4206/9 SNYDER, Eric	524 Washington Street	4 th /2021 \$8,154.93
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Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
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4804/7 DE LEON, Ana Victoria	835 Grandview Avenue	3 rd /2020 \$2,001.64
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5711/6 LIMA, Raul P	231 Maryland Street	4 th /2021 \$2,565.28
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TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to WYCHWOOD GARDENS COOP ASSOC INC, this amount being overpaid due to Veteran and Senior Citizen deductions for 2021:

<u>Applicant</u>	<u>Deduction Type</u>	<u>Deduction Amount</u>
Canavan	Senior Citizen	\$250.00

Check payable and mailed to:

WYCHWOOD GARDENS COOP ASSOC INC
% FALKIN ASSOC
P.O. BOX 545
CRANFORD, NJ 07016

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

WHEREAS, statutory tax appeals and other matters and applications affecting the taxation of real property within the Town of Westfield are routinely filed with the Union County Board of Taxation and the Superior Court of New Jersey; and

WHEREAS, the Mayor and Town Council find it to be in the best interest of the citizens of the Town to authorize and direct the Tax Assessor to take any and all action that he deems advisable in such tax matters in order to protect, promote and advance the Town's interest in assuring that each property within the Town is fairly and equitably assessed in accordance with the law; and

WHEREAS, the Mayor and Town Council find it to be in the best interest of the citizens of the Town to authorize and direct the Town Attorney to assist the Tax Assessor in such tax matters referred to herein;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, State of New Jersey, that the Tax Assessor of the Town of Westfield be and is hereby authorized and directed to prepare, file, pursue and litigate, if necessary, any Assessor's Tax Appeals, Answers to Tax Appeals, Counterclaims, Appeals and Cross-Appeals in statutory tax appeals, and other matters and applications affecting the taxation of real property within the Town as may be filed with the Union County Board of Taxation and/or the Superior Court of the State of New Jersey, that the Tax Assessor deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law.

BE IT FURTHER RESOLVED, that the Town Administrator, the Tax Assessor, and the Town Tax Attorney be and are hereby authorized to take all necessary and appropriate actions to carry out the subject and intent of this Resolution.

TOWN OF WESTFELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 11, 2022

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Town Council of the Town of Westfield, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Town Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Town of Westfield, County of Union, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Westfield Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$8,548.00
Cash Match	\$2,137.00
In-Kind	\$6,411.00

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

JANUARY 11, 2022

WHEREAS, the ongoing opioid crisis in America has had a devastating effect on individuals and communities; and

WHEREAS, the Town of Westfield is a party to a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in *In re National Prescription Opiate Litigation*, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio; and

WHEREAS, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey-based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country's opioid crisis; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, the proposed settlements provide: "the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the "Settlement Amount"). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;" and

WHEREAS, participation by a significant number of states, county, and municipal governments nationwide must agree to the proposed terms in order for the settlements to take effect; and

WHEREAS, provided enough states opt to participate in the settlements, their subdivisions will have through January 26, 2022 to join; and

WHEREAS, the Town of Westfield's share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and municipality, and effects of the opioid epidemic on each participating community; and

WHEREAS, it is in the best interests of the Town of Westfield and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the near future.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Westfield that the Mayor be and hereby is authorized to sign any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis.

BE IT FURTHER RESOLVED that upon effectuation of the settlement agreement, the Town of Westfield agrees to dismiss its claims against the settling parties.

BE IT FURTHER RESOLVED that the Clerk of the Town of Westfield shall forward a copy of this Resolution to the Office of the Attorney General of New Jersey.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2022

CODE REVIEW AND
TOWN PROPERTY COMMITTEE

JANUARY 11, 2022

WHEREAS, at a regular meeting of the Westfield Historic Preservation Commission held on October 25, 2021, the Commission considered the designation of the “coffee kiosk” located at the Westfield South Avenue Train Station, and owned by the Town of Westfield, for designation as a historic landmark; and

WHEREAS, in connection with the Commission’s consideration of that designation, the Commission prepared a report, as required by section 5 of the Town’s historic preservation ordinance, that examined whether and set forth the reasons why, in the Commission’s view, the coffee kiosk met the criteria for local historic designation; and

WHEREAS, at such meeting, the Historic Preservation Commission voted unanimously to nominate the coffee kiosk for local historic designation and further recommended that the Town Council designate the property as a historic landmark, pursuant to the Town’s historic preservation ordinance, for all of the reasons set forth in the report and as discussed at the public hearing on the application; and

WHEREAS, the report and recommendation of the Commission has now been received by the Mayor and Town Council.

NOW, THEREFORE, BE IT RESVOLVED, that as required by Section 5(B)(2)(d)(2) of the Town of Westfield historic preservation ordinance, the Mayor and Town Council hereby refer the report and recommendation to the Westfield Planning Board, for its comment on the proposed designation, and for such other actions as are contemplated by the historic preservation ordinance and as appropriate under the circumstances, consistent with the Town’s Master Plan, the Zoning Ordinance of the Town, and the New Jersey Municipal Land Use Law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2022

CODE REVIEW AND
TOWN PROPERTY COMMITTEE

JANUARY 11, 2022

WHEREAS, at a regular meeting of the Westfield Historic Preservation Commission held on November 22, 2021, the Commission considered the designation of the property located at 23 Stoneleigh Park for designation as a historic landmark; and

WHEREAS, the Westfield Historic Preservation Commission received a signed Letter of Consent from the property owners of 23 Stoneleigh Park supporting the designation of their property as historic pursuant to the Town's historic preservation ordinance; and

WHEREAS, as required by section 5 of said ordinance, the Westfield Historic Preservation Commission (with the property owner's assistance and input) prepared a nomination report examining the history of the property and the buildings thereon; and

WHEREAS, as further required by section 5 of the ordinance, the Commission held a duly noticed public hearing on November 22, 2021, at which meeting the report was presented, and members of the public and the Commission were given an opportunity to review the report and ask questions or make comments on it; and

WHEREAS, at the conclusion of that hearing the Commission voted unanimously to recommend that the Town Council designate the property as a historic landmark, pursuant to the Town's historic preservation ordinance, for all of the reasons set forth in the report and as discussed at the public hearing on the application; and

WHEREAS, the report and recommendation of the Commission has now been received by the Mayor and Town Council.

NOW, THEREFORE, BE IT RESVOLVED, that as required by Section 5 of the Town of Westfield historic preservation ordinance, the Mayor and Town Council hereby refer the report and recommendation to the Westfield Planning Board, for its comment on the proposed designation, and for such other actions as are contemplated by the historic preservation ordinance and as appropriate under the circumstances, consistent with the Town's Master Plan, the Zoning Ordinance of the Town, and the New Jersey Municipal Land Use Law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2022

CODE REVIEW AND
TOWN PROPERTY COMMITTEE

JANUARY 11, 2022

WHEREAS, at a regular meeting of the Westfield Historic Preservation Commission held on November 22, 2021, the Commission considered the designation of the property located at 112 Ferris Place for designation as a historic landmark; and

WHEREAS, the Westfield Historic Preservation Commission received a signed Letter of Consent from the property owner of 112 Ferris Place supporting the designation of the owner's property as historic pursuant to the Town's historic preservation ordinance; and

WHEREAS, as required by section 5 of said ordinance, the Westfield Historic Preservation Commission (with the property owner's assistance and input) prepared a nomination report examining the history of the property and the buildings thereon; and

WHEREAS, as further required by section 5 of the ordinance, the Commission held a duly noticed public hearing on November 22, 2021, at which meeting the report was presented, and members of the public and the Commission were given an opportunity to review the report and ask questions or make comments on it; and

WHEREAS, at the conclusion of that hearing the Commission voted unanimously to recommend that the Town Council designate the property as a historic landmark, pursuant to the Town's historic preservation ordinance, for all of the reasons set forth in the report and as discussed at the public hearing on the application; and

WHEREAS, the report and recommendation of the Commission has now been received by the Mayor and Town Council.

NOW, THEREFORE, BE IT RESVOLVED, that as required by Section 5 of the Town of Westfield historic preservation ordinance, the Mayor and Town Council hereby refer the report and recommendation to the Westfield Planning Board, for its comment on the proposed designation, and for such other actions as are contemplated by the historic preservation ordinance and as appropriate under the circumstances, consistent with the Town's Master Plan, the Zoning Ordinance of the Town, and the New Jersey Municipal Land Use Law.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

JANUARY 11, 2022

WHEREAS, for more than a decade, the State of New Jersey has promoted energy policies that have created a vibrant solar energy market; and

WHEREAS, the State of New Jersey adopted the 2019 New Jersey Energy Master Plan, *Pathway to 2050*; and the legislature passed the Clean Energy Act of 2018

WHEREAS, Strategy 6 of the 2019 Energy Master Plan calls for the State to support community energy planning and action with an emphasis on encouraging and supporting participation by low- and moderate-income and environmental justice communities; and

WHEREAS, Goal 6.2.1 of the 2019 Energy Master Plan calls for the support of community-led development of community solar projects; and

WHEREAS, the Town recognizes the benefits of the Board of Public Utility's community solar program for the Town's residents including the following: local and clean power generation; support for active participation in the program by low- and moderate-income families; and reduction of energy bills for all participants; and

WHEREAS, the Town Council will support community solar projects that serve the municipality and have the following benefits to the community:

Minimum 25% discount on the electricity from the community solar project for Westfield residents that qualify as low-to-moderate income

Minimum 20% discount on the electricity from the community solar project for Westfield residents that don't qualify as low-to-moderate income

NOW THEREFORE BE IT RESOLVED that the Westfield Town Council will continue collaborating with community solar developers in furtherance of bringing financial and environmental benefits to our residents.

BE IT FURTHER RESOLVED that the Town supports green energy alternatives and will help make subscriber information available to our residents for all community solar projects that meet the criteria for our residents' participation.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

JANUARY 11, 2022

WHEREAS, a need exists for the grinding of accumulated brush material to a mulch product for internal use, contractor sales and residential distribution by the Department of Public Works, as provided for in Public Works account 137-241, and

WHEREAS, sealed bids were received on Wednesday, January 5, 2022, and

WHEREAS, the low bid, submitted by Britton Industries, Inc., in the amount of \$81,207.00 has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Public Works account 137-241, under a Purchase Order to be established provided there is sufficient funding in the 2022 Operating Budget.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract be awarded to Britton Industries, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.